

2020 JUL 27 A 9:50

ORDINANCE NO. 2020-23

CINDY MURRAY

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY,  
INDIANA, TO REZONE CERTAIN REAL ESTATE FROM GB TO R1B

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA:**

Section I: The Unified Zoning Ordinance of Tippecanoe County, Indiana being a separate ordinance and part of the Municipal Code of Lafayette, Indiana is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to-wit:

See Attachment Exhibit A

Section II: The above described real estate should be and the same is hereby rezoned  
from \_\_\_\_\_ to \_\_\_\_\_.

Section III: This Ordinance shall be in full force and effect from and after its adoption.

**PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
INDIANA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Nancy Nargi, Presiding Officer

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_,  
2020.

\_\_\_\_\_  
Tony Roswarski, Mayor

Attest:

\_\_\_\_\_  
Cindy Murray, City Clerk

## EXHIBIT A

A part of the Southeast quarter of Section Thirty-one (31), Township Twenty-three (23) North, Range Four (4) West in Fairfield Township, Tippecanoe County, Indiana, being more completely described as follows, to-wit:

Commencing at the northwest corner of the southeast quarter of Section 31-23-4; thence South 0° 10' 30" West along the west line of said southeast quarter a distance of 695.20 feet to a point on the centerline of Lilly Road, said point being marked by a PK nail; thence North 57° 49' 30" East along said centerline a distance of 21.45 feet to a boat spike; thence North 72° 30' 30" East along said centerline a distance of 106.94 feet to a PK nail and the point of beginning of the herein described tract; thence North 10° 01' 15" West a distance of 197.19 feet to a rebar; thence North 82° 06' 30" East a distance of 225.01 feet to a PK nail on the centerline of Old Romney Road; thence South 27° 26' 30" West along said centerline a distance of 251.08 feet to a PK nail on the centerline of Lilly Road; thence North 82° 19' 00" West along the centerline of said Lilly Road a distance of 48.23 feet to a boat spike; thence South 72° 30' 30" West along said centerline a distance of 26.16 feet to the point of beginning, containing 0.686 acres, more or less.

Commonly known as 2360 Old Romney Road, Lafayette, Indiana 47905.

THE

# Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET  
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242  
(765) 423-9154 [FAX]  
[www.tippecanoe.in.gov/apc](http://www.tippecanoe.in.gov/apc)

SALLIE DELL FAHEY  
EXECUTIVE DIRECTOR

July 16, 2020  
Ref. No.: 2020-162

Lafayette Common Council  
20 N 6<sup>th</sup> Street  
Lafayette, IN 47901

## CERTIFICATION

**RE: Z-2796 STEVEN D. HABY (GB to R1B):**

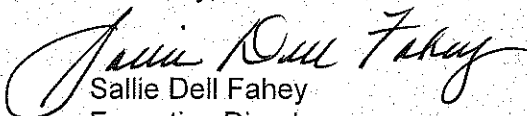
Petitioner is requesting rezoning of the northwest corner of Elston Road and Old Romney Road, specifically, 2360 Old Romney Road and 410 Elston Road (there are two houses on one lot), Lafayette, Fairfield 31 (SE) 23-4.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 15, 2020 the Area Plan Commission of Tippecanoe County voted 15 yes - 0 no on the motion to rezone the subject real estate from GB to R1B. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette Common Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Lafayette Common Council at their August 3, 2020 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey  
Executive Director

SDF/crl

Enclosures: Staff Report & Ordinances

cc: Steven Haby  
Jeromy Grenard, Lafayette City Engineer

**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner/owner is requesting rezoning of the northwest corner of Elston Road and Old Romney Road, specifically, 2360 Old Romney Road and 410 Elston Road, (there are two houses on one lot), Lafayette, Fairfield 31 (SE) 23-4. Petitioner plans to file for a minor subdivision once the rezone is complete, so each home will be on a single lot.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

This property is currently zoned GB. Property to the north of this tract is zoned R1; the site to the west is zoned R3. Property to the east and southeast across Old Romney is likewise zoned R3. The triangular-shaped lot to the south of Elston is zoned GB as are a couple of lots farther to the southeast. This area of town is a hodgepodge of zoning with I3, HB and NB zones nearby, but most of the properties in the vicinity are zoned R3, GB or R1.

Prior to the zoning ordinance update in 1998, residential uses were permitted on GB zoned properties. That makes the two single-family residences legally nonconforming by zone.

**AREA LAND USE PATTERNS:**

There are numerous multi-family developments in the area, single-family homes, a church, a coach service, cemetery, and additional businesses in the area.

**TRAFFIC AND TRANSPORTATION:**

Both Elston and Old Romney Road are classified as secondary arterials by the adopted *Thoroughfare Plan*. The front setback along these roads is 40' in the R1B zone. Neither house meets this setback.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

The two homes are currently connected to sewer by one tap and share a well. Through the process of separating the homes, they will be hooked up to sewer and water individually.

**STAFF COMMENTS:**

This rezone request is the first step for the petitioner to create separate lots for the two existing single-family homes. According to data from the County Assessor, both structures were built in 1954.

Staff worked with the City of Lafayette (Z-2546), and Tippecanoe County (Z-2545), to rezone apartment complexes that were nonconforming in 2013. This has not been discussed for other types of residential use. Staff can support this request as the first step toward making this site and use conforming.

**STAFF RECOMMENDATION:**

Approval